

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re

BIG LOTS, INC., *et al.*,¹

Debtors.

Chapter 11

Case Nos. 24-11967 (JKS), *et seq.*
(Jointly Administered)

**DECLARATION IN SUPPORT OF MOTION FOR ALLOWANCE AND
PAYMENT OF ADMINISTRATIVE CLAIMS AND RELATED RELIEF**

Shauna Jones, of full age, hereby declares under penalty of perjury, as follows:

1. I make this declaration in support of *Phenix City Square, LLC's Motion for Allowance and Payment of Administrative Claims and Related Relief*, pursuant to 11 U.S.C. § 503(b)(1)(A).

2. I have personal knowledge of the factual averments set forth herein, and if called upon to do so, I could and would appear before the Court and competently testify to the truth thereof.

3. I am Account Representative for Real Estate Southeast, LLC, which is the property manager for Phenix City Square, LLC.

4. As Account Representative, I am responsible for managing customer accounts from a payment and billing perspective, including the customer accounts of the above-captioned Debtor(s).

¹ The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores – PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores – CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GADFC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors' corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

5. On September 9, 2024 (the “Petition Date”), each of the above-captioned debtors (including the Debtor, the “Debtors”) filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code. The Debtors are operating their business and managing their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

6. On or about August 3, 1993, The Equitable Life Assurance Society of the United States, as landlord, entered into a lease (the “Lease”) of non-residential real property located at Phenix City Square Shopping Center, Phenix City, Alabama (Store No. 480) (the “Leased Property”) with Consolidated Stores Corporation, as tenant. The Lease has been amended and extended several times with the latest extension dated August 24, 2020. Through a series of assignments and mergers, Movant is now the landlord and debtor Big Lots Stores, LLC (the “Debtor” or “Tenant”), as successor to Big Lots Stores, Inc., is now the Tenant under the Lease. The Lease is an unexpired lease of non-residential real property as that term is used in §365 of the Bankruptcy Code.

Base Rent

7. The Debtor has not paid the base rent due under the Lease for the period from the Petition Date through September 30, 2024 (the “Post-Petition Rent”), which totals **\$12,364.00**.

Taxes

8. Under paragraph 5.E of the Lease, the Debtor is required to pay its pro rata share of any increase of property taxes over the Base Year of 1992. The property taxes for the year 2024 total \$38,886.90 and were paid on December 17, 2024. The Base Year taxes were \$13,403.62; and the Tenant’s pro rata portion of the property taxes is 62.98%. Accordingly, the Tenant owes **\$16,049.37**.

Insurance

9. Under paragraph 13.A. of the Lease, the Tenant is required to pay its pro rata portion of any increase in insurance premiums over the Base Year of 1992.

10. The insurance premium for the shopping center for the period from April 9, 2024, to April 9, 2025 is \$26,627.00. The 1992 Base Year premium was \$10,451.00, and the Tenant's pro rata portion of the premium is 62.98%. Accordingly, the Tenant is obligated to pay **\$10,187.64** for its pro rata portion of the insurance.

Pursuant to 28 U.S.C. I hereby certify, under penalty of perjury, that the foregoing statements made by me are true and correct. I am aware that if any such statements are willfully false, I am subject to the penalties of perjury.

Dated: January 5, 2025

/s/ Shauna Jones
SHAUNA JONES
Accounting Representative